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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/698,778      | 10/27/2000  | Kazuko Fukano        | P5287a              | 7153             |

20178 7590 12/09/2003

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EXAMINER

PATEL, NITIN C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2185

DATE MAILED: 12/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/698,778

Applicant(s)

FUKANO ET AL.

Examiner

Nitin C. Patel

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5, and 6. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1 – 34, are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 34 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Nagata et al. (hereinafter as Nagata), US Patent 5, 058, 035.

4. As to claims 1, 12, and 23, Nagata discloses system and method with an output device [100, printer] that operates according to data received from a host device [210, host computer] comprising:

- a. a volatile memory [609, an auxiliary memory RAM] to store temporarily operating parameter values [character code] according to a specific command [response to control commands] from said host [601][col. 5, lines 49 – 64, col. 6, lines 9 – 11, fig. 6];
- b. a controller [200, CPU] to control the output device [printer] based on operating parameter values [character code] stored in volatile memory [602] [col. 6, lines 9 – 17];
- c. a first operating parameter controller [host processor which is inherent to the host computer] to store operating parameter [character code] into a nonvolatile memory in response to a first command [reset] from said host [601][col. 2, lines 8 - 14]; and

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d. a second operating parameter controller [200, CPU] that stores [load] into volatile memory operating parameter data [character code] stored in said nonvolatile memory in response to specific input [it is inherent to initialization to load the operating parameters into volatile memory from the data stored in nonvolatile memory][col. 3, lines 29 – 68, col. 4, lines 1 – 10, 29 – 42, col. 5, lines 9 – 63].

5. As to claims 2, 4, 7 - 9, 13, 15, 18 – 20, 24, 26, and 29 – 31, Nagata discloses to store the plurality of operating parameter values [character codes, page layout information with margin, line pitch, character pitch, page direction etc.] and control commands the nonvolatile memory [205, nonvolatile RAM (initial state buffer), fig. 1] therefore he teaches method of storage operation with the use of different commands to store in different areas [col. 3, lines 44, col. 4, lines 29 – 42].

6. As to claim 3, 14, and 25, Nagata discloses specific input as one of a the power-turning-on signal, reset, and initialization command with memory initialization processor for initializing at least the operating parameter storage area of volatile memory in response to said specific input, and second operating parameter controller [200, CPU] for strong operating parameter into volatile memory from nonvolatile memory after said initialization [col. 3, lines 31 – 67, col. 4, lines 1 – 66, col. 5, lines 9 - 48].

7. As to claims 5 - 6, 16 – 17, and 27 - 28, Nagata teaches second operating parameter controller [200, CPU] to store a predefined [standards state set at the shipment from manufacturer] default set [default or standard state] of operating parameter data into volatile memory in response to a lack of operating data [operator does not set any conditions for operating parameter][col. 4, lines 47 – 55, col. 3, lines 46 - 51].

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8. As to claims 10 - 11, 21 - 22, and 32 - 33, Nagata teaches the communication of host computer [210] to the printer with printing control unit [101, fig. 1] enables setting of initial conditions from host computer therefore, he teaches necessary components for transmitting and methods of operation too [col. 2, lines 9 - 14].

9. As to claim 34, Nagata discloses different types of data storage medium [nonvolatile RAM] comprises one of a compact disc, floppy disc, a hard disc, a digital video disk, a magnetic disc, and a semiconductor memory [col. 5, lines 24 - 27].


### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 703-305-3994. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nitin C. Patel  
December 1, 2003

  
THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100